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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY: _____

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7 Attorneys for Plaintiffs UMG Recordings, Inc.; Capitol Records, LLC;
Universal Music Corp.; Universal – Polygram International Publishing, Inc.;
8 Universal – Songs Of Polygram International, Inc.; Songs Of Universal,
Inc.; Universal Music – Z Tunes LLC; Rondor Music International, Inc.;
9 Universal Music – MGB NA LLC; Universal Musica, Inc.

10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 UMG RECORDINGS, INC., a Delaware
13 corporation; CAPITOL RECORDS, LLC,
14 a Delaware limited liability company; **LA**
UNIVERSAL MUSIC CORP., a
15 Delaware corporation; UNIVERSAL –
POLYGRAM INTERNATIONAL
16 PUBLISHING, INC., a Delaware
17 corporation; UNIVERSAL – SONGS OF
POLYGRAM INTERNATIONAL, INC.,
18 a Delaware corporation; SONGS OF
UNIVERSAL, INC., a California
19 corporation; UNIVERSAL MUSIC – Z
TUNES LLC, a New York limited
20 liability company; RONDOR MUSIC
INTERNATIONAL, INC., a California
21 corporation; UNIVERSAL MUSIC –
MGB NA LLC, a California limited
22 liability company; UNIVERSAL
MUSICA, INC., a Florida corporation,
23 Plaintiffs,

24 v.

25 JE T'AIME LLC, a Georgia limited
26 liability company; JE T'AIME MEDIA
GROUP INC, a Georgia corporation;
27 GTM, Inc., a Georgia corporation; and
DOES 1 through 10.

28 Defendants.

CASE NO.

CV 14 06613-AB (CWx)
COMPLAINT FOR:

1. COPYRIGHT INFRINGEMENT – SOUND RECORDINGS
2. COPYRIGHT INFRINGEMENT – MUSICAL COMPOSITIONS
3. VIOLATION OF CALIFORNIA CIVIL CODE § 980(2)
4. STATUTORY AND COMMON LAW UNFAIR COMPETITION
5. COMMON LAW MISAPPROPRIATION
6. CONVERSION

REQUEST FOR JURY TRIAL

Court Name: U.S. District Court
Division: 2
Receipt Number: LA102006
Cashier ID: ivcash
Transaction Date: 08/22/2014
Payer Name: LA Depositions

CIVIL FILING FEE
For: LA Depositions
Case/Party: D-CAC-2-14-CV-006613-001
Amount: \$400.00

CHECK
Check/Money Order Num: 4601
Amt Tendered: \$400.00

Total Due: \$400.00
Total Tendered: \$400.00
Change Amt: \$0.00

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CONFORM

1 Plaintiffs UMG Recordings, Inc., Capital Records, LLC, Universal Music
 2 Corp., Universal – Polygram International Publishing, Inc., Universal – Songs Of
 3 PolyGram International, Inc., Songs Of Universal, Inc., Universal Music – Z Tunes
 4 LLC, Rondor Music International, Inc., Universal Music – MGB NA LLC, and
 5 Universal Musica, Inc. (“Plaintiffs”) allege as follows:

6 INTRODUCTION

7 1. This is a cut-and-dry copyright infringement case arising out of
 8 Defendants Je T’aime LLC, Je T’aime Media Group Inc., and GTM, Inc. (together,
 9 “Defendants”) television production activities. Defendants engaged in copyright
 10 infringement by reproducing, adapting, distributing, publicly performing, and
 11 displaying over 200 of Plaintiffs’ sound recordings and musical compositions, without
 12 obtaining consent to do so.

13 2. Plaintiffs are among the world’s leading record companies and music
 14 publishers, and own the rights to thousands of recordings and musical compositions,
 15 including many of the most well-known and valuable sound recordings and musical
 16 compositions in the world. Plaintiffs incur tremendous expense in connection with the
 17 creation and acquisition of such creative works and recoup their investment through
 18 the sale and licensing of such works.

19 3. Defendants created, produced, funded, and/or distributed a reality
 20 television program entitled Master of the Mix (the “Show”). The Show is a musical
 21 competition where several disc jockeys compete over several episodes to become
 22 “Master of the Mix.”

23 4. On information and belief, non-parties Diageo, PLC and Diageo North
 24 America, Inc. also helped create, produce, and launch the Show, and one of their
 25 brands, Smirnoff vodka, sponsors and is prominently featured throughout the Show.
 26 In addition to being crowned “Master of the Mix,” the winner of the Show is awarded
 27 \$250,000 and is Smirnoff’s official DJ for a year.

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1 5. Plaintiffs' copyrighted works have been integral to the Show since its
2 inception. Indeed, during Seasons 1 and 2 of the Show, Defendants properly licensed
3 numerous of Plaintiffs' sound recordings and musical compositions for use on the
4 Show.

5 6. Plaintiffs' copyrighted works again played an integral role during Season
6 3 of the Show. During Season 3, Defendants exploited over 200 of Plaintiffs' sound
7 recordings and musical compositions. This time, however, Defendants failed to
8 properly license any of the copyrighted or otherwise protected works they exploited.
9 Defendants' use of Plaintiffs' copyrighted works without obtaining the proper licenses
10 was blatant infringement.

11 7. Defendants are liable to Plaintiffs for their numerous violations of the
12 Copyright Act through their unauthorized exploitation of Plaintiffs' copyrighted or
13 otherwise protected works in connection with Season 3 of the Show.

14 **JURISDICTION AND VENUE**

15 8. This is a civil action seeking damages for copyright infringement under
16 the Copyright Act, 17 U.S.C. § 101 *et seq.*, and under state law.

17 9. This Court has subject matter jurisdiction over Plaintiffs' claims pursuant
18 to 28 U.S.C. §§ 1338(a) and 1367.

19 10. This Court has personal jurisdiction over Defendants, which do business
20 in this judicial district; which distribute or authorize the broadcast of the Show in this
21 state; which expect or reasonably should expect their infringing conduct to have
22 consequences in California; and which conduct has caused injury to Plaintiffs in this
23 state.

24 11. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b) and (c),
25 and 1400(a).

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THE PARTIES

The Record Company Plaintiffs

12. Plaintiff UMG Recordings, Inc. is a corporation duly organized and existing under the laws of the state of Delaware, with its principal place of business in Los Angeles County, California, and is doing business in the state of California and in this judicial District.

13. Plaintiff Capital Records, LLC is a limited liability company duly organized and existing under the laws of the state of Delaware, with its principal place of business in Los Angeles County, California, and is doing business in the state of California and in this judicial District.

14. The foregoing Plaintiffs (the "Record Company Plaintiffs") are record companies engaged in the business of producing sound recordings and manufacturing, distributing, selling, and/or licensing the distribution and sale of their sound recordings in phonorecords (as defined in 17 U.S.C. § 101) in the United States. The Record Company Plaintiffs are among the world's leading record companies, and own the rights to thousands of sound recordings, including many of the most well-known and valuable sound recordings in the world. The Record Company Plaintiffs invest substantial sums of money, as well as time, effort, and creative talent to discover and develop recording artists, and to create, manufacture, advertise, promote, sell, and license phonorecords embodying the performances of their exclusive recording artists, many of whom live and/or work in the District.

15. The Record Company Plaintiffs are the copyright owners of, or the owners of exclusive rights in, thousands of sound recordings, including but not limited to the sound recordings listed in **Exhibit A** (the "Copyrighted Recordings"), incorporated herein by reference.

16. The Record Company Plaintiffs have obtained certificates of copyright registration in each of the Copyrighted Recordings, or have applied for such registration prior to filing suit. As the owner of the copyrights or exclusive rights in

1 the Copyrighted Recordings, the Record Company Plaintiffs possess the exclusive
 2 rights to license the Copyrighted Recordings for reproduction, distribute copies of the
 3 Copyrighted Recordings to the public, and to synchronize the Copyrighted Recordings
 4 on television programs.

5 17. The Record Company Plaintiffs also possess exclusive ownership rights
 6 in sound recordings of musical performances that initially were “fixed” prior to
 7 February 15, 1972. The Record Company Plaintiffs’ catalog of pre-1972 recordings
 8 includes some of the most famous, popular, and valuable sound recordings in the
 9 world. The pre-1972 recordings are the product of an enormous investment of time,
 10 effort, money, and creative talent in discovering and developing the recording artists
 11 and creating, manufacturing, advertising, promoting, selling, and licensing their sound
 12 recordings. The Record Company Plaintiffs exploit their pre-1972 recordings in a
 13 number of ways, including by licensing them for synchronization in audiovisual
 14 works such as motion pictures, television programs, and music videos.

15 18. Congress has expressly recognized that the states provide extensive
 16 protection through various state law doctrines to recordings “fixed” before February
 17 15, 1972 and that the federal Copyright Act does not “annul[] or limit[]” those rights
 18 until February 15, 2067.” 17 U.S.C. § 301(c).

19 19. For more than 40 years, California has provided uninterrupted common
 20 law and statutory protection to the owners of pre-1972 recordings against those who
 21 exploit them without license or compensation. The existence of a common law
 22 property right in pre-1972 recordings has been explicitly recognized by California
 23 courts since at least 1969. In 1982, California amended its Civil Code to provide
 24 statutory protection for pre-1972 recordings: “[t]he author of an original work of
 25 authorship consisting of a sound recording initially fixed prior to February 15, 1972,
 26 has an exclusive ownership therein until February 15, 2047, as against all persons
 27 except one who independently makes or duplicates another sound recording that does
 28 not directly or indirectly recapture the actual sounds fixed in such prior sound

1 recording, but consists entirely of an independent fixation of other sounds, even
 2 though such sounds imitate or simulate the sounds contained in the prior sound
 3 recording.” Cal. Civ. Code § 980(a)(2).

4 20. This broad protection afforded to pre-1972 recordings is consistent with
 5 the recognition by California courts and the California legislature of critical, important
 6 public policy interests in providing strong state law protection for sound recordings.
 7 These interests include ensuring that record companies receive compensation from
 8 their substantial expenditure of effort, skill, and money in selecting performing artists
 9 and obtaining the exclusive right to record their performances, as well as ensuring that
 10 owners of sound recordings possess powerful and appropriate remedies against those
 11 who seek to unfairly appropriate and profit from such artistic performances.

12 21. Among the pre-1972 recordings owned by the Record Company
 13 Plaintiffs, and exploited by Defendants, are those identified in **Exhibit B** hereto (the
 14 “Pre-1972 Recordings”).

15 **The Music Publisher Plaintiffs**

16 22. Plaintiff Universal Music Corp. is a corporation duly organized and
 17 existing under the laws of the state of Delaware, with its principal place of business in
 18 Los Angeles County, California, and is duly qualified to transact business in the state
 19 of California and in this judicial District.

20 23. Plaintiff Universal – Polygram International Publishing, Inc. is a
 21 corporation duly organized and existing under the laws of the state of Delaware, with
 22 its principal place of business in Los Angeles County, California, and is duly qualified
 23 to transact business in the state of California and in this judicial District.

24 24. Plaintiff Universal – Songs Of PolyGram International, Inc. is a
 25 corporation duly organized and existing under the laws of the state of Delaware, with
 26 its principal place of business in Los Angeles County, California, and is duly qualified
 27 to transact business in the state of California and in this judicial District.

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1 25. Plaintiff Songs Of Universal, Inc. is a corporation duly organized and
2 existing under the laws of the state of California, with its principal place of business in
3 Los Angeles County, California, and is duly qualified to transact business in the state
4 of California and in this judicial District.

5 26. Plaintiff Universal Music – Z Tunes LLC (including d/b/a Universal
6 Music – Z Songs) is a Limited Liability Company duly organized and existing under
7 the laws of the state of New York, with its principal place of business in Los Angeles
8 County, California, and is duly qualified to transact business in the state of California
9 and in this judicial District.

10 27. Plaintiff Rondor Music International, Inc. (including d/b/a Irving Music
11 Inc. and Almo Music Corp.) is a corporation duly organized and existing under the
12 laws of the state of California, with its principal place of business in Los Angeles
13 County, California, and is duly qualified to transact business in the state of California
14 and in this judicial District.

15 28. Plaintiff Universal Music – MGB NA LLC (including d/b/a Universal
16 Music – Careers and Universal Music – MGB Songs) is a Limited Liability Company
17 duly organized and existing under the laws of the state of California, with its principal
18 place of business in Los Angeles County, California, and is duly qualified to transact
19 business in the state of California and in this judicial District.

20 29. Plaintiff Universal Musica, Inc. is a corporation duly organized and
21 existing under the laws of the state of Florida, with its principal place of business in
22 Los Angeles County, California, and is duly qualified to transact business in the state
23 of California and in this judicial District.

24 30. The foregoing Plaintiffs (the “Music Publisher Plaintiffs”) are music
25 publishing companies engaged in the acquisition, ownership, administration, and
26 exploitation of musical compositions. The Music Publisher Plaintiffs are among the
27 world’s leading music publishing companies, and own or control the rights to
28 thousands of musical compositions, including many of the most well-known and

1 valuable musical compositions in the world. The Music Publisher Plaintiffs invest
 2 substantial sums of money, as well as time, effort, and creative talent, to acquire,
 3 administer, license, and otherwise exploit copyrights in musical compositions, on their
 4 own behalf and on behalf of songwriters, many of whom live and/or work in the
 5 District.

6 31. The Music Publisher Plaintiffs are the copyright owners and/or the
 7 owners of exclusive rights under copyright with respect to certain musical
 8 compositions, including but not limited to the musical compositions listed in
 9 **Exhibit C** (the "Copyrighted Compositions"), incorporated herein by reference.

10 32. The Music Publisher Plaintiffs have obtained certificates of copyright
 11 registration in each of the Copyrighted Compositions, or have applied for such
 12 registration prior to filing suit. As the owner of the copyrights or exclusive rights in
 13 the Copyrighted Compositions, the Music Publisher Plaintiffs possess the exclusive
 14 rights to license the Copyrighted Compositions for reproduction, distribute copies of
 15 the Copyrighted Compositions to the public, and to synchronize the Copyrighted
 16 Compositions on television programs.

17 **Defendants**

18 33. Defendant Je T'aime LLC is a Georgia limited liability company.

19 34. Defendant Je T'aime Media Group Inc. is a corporation duly organized
 20 and existing under the laws of Georgia.

21 35. Defendant GTM, Inc. is a corporation duly organized and existing under
 22 the laws of Georgia.

23 36. The true names and capacities, whether individual, corporate, associate,
 24 or otherwise, of all defendants sued herein as Does 1 through 10 (the "Doe
 25 Defendants"), are unknown to Plaintiffs, who therefore sue such defendants by such
 26 fictitious names. If necessary, Plaintiffs will seek leave of Court to amend this
 27 Complaint to state their true names and capacities when the same have been
 28 ascertained. Plaintiffs are informed and believe, and on that basis aver, that the Doe

1 Defendants direct, control, ratify, participate in, materially contribute to, profit from,
 2 induce, encourage, and/or facilitate the violations of Plaintiffs' copyrights and rights
 3 under state law complained of herein or are otherwise liable to Plaintiffs as a result of
 4 their participating in all or some of the acts hereinafter set forth.

5 37. Plaintiffs are informed and believe and on that basis allege that at all
 6 times mentioned in the Complaint, each of the Defendants was the agent of the other
 7 Defendants and, in doing the things alleged in the Complaint, was acting within the
 8 course and scope of such agency.

9 FACTS

10 38. The Show is a reality television series that features disc jockeys
 11 competing to become "Master of the Mix" and win a featured sponsorship valued at
 12 \$250,000. There have been three seasons of the Show. Season 3 of the Show featured
 13 ten episodes and aired on VH1, which is received by tens of millions of American
 14 households.

15 39. Plaintiffs' copyrighted sound recordings and compositions have been an
 16 integral part of the Show since the Show's inception. The Show—which is a music
 17 competition—relied on the use of popular musical compositions and recordings, many
 18 of which are owned or controlled by Plaintiffs. The Show routinely featured its
 19 competitors performing Plaintiffs' copyrighted works. In fact, Plaintiffs' copyrighted
 20 works accounted for the largest proportion of music featured during Season 3 of the
 21 Show and all ten episodes featured multiple of Plaintiffs' copyrighted works. In total,
 22 at least 93 musical compositions and at least 115 sound recordings that were owned or
 23 controlled by Plaintiffs were used during Season 3 of the Show. Plaintiffs'
 24 copyrighted works are fundamental to the production and success of the Show.

25 40. Defendants sought and paid Plaintiffs for licenses in connection with the
 26 numerous copyrighted or otherwise protected compositions and recordings that
 27 Defendants utilized during Seasons 1 and 2 of the Show.

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41. However, Defendants failed to obtain licenses for over 200 of Plaintiffs' sound recordings and musical compositions that Defendants utilized during Season 3 of the Show.

42. Defendants' unauthorized reproduction, adaptation, distribution, public performance, and display of Plaintiffs' copyrighted and otherwise protected sound recordings and musical compositions in connection with Season 3 of the Show, was a violation of the copyright laws.

FIRST CAUSE OF ACTION

(Copyright Infringement – Sound Recordings)

(By the Record Company Plaintiffs Against All Defendants)

43. The Record Company Plaintiffs incorporate by this reference each and every averment contained in paragraphs 1 through 42 inclusive.

44. The Record Company Plaintiffs own or control the exclusive rights to the copyrights in the sound recordings listed in **Exhibit A**, among many other sound recordings that the Record Company Plaintiffs own.

45. In accordance with the Copyright Act, the Record Company Plaintiffs, their predecessors in interest, or their licensors, have registered the copyrights to the sound recordings listed in **Exhibit A** with the Copyright Office of the United States, or have applied for such registration prior to filing suit.

46. Defendants have infringed the Record Company Plaintiffs' copyrights by reproducing, adapting, distributing, and publicly performing and displaying their copyrighted recordings without authorization in violation of the Record Company Plaintiffs' exclusive rights pursuant to the Copyright Act, 17 U.S.C. §§ 106 and 501. *See **Exhibit A***. Additionally, upon information and belief, Defendants have reproduced, adapted, distributed, and publicly performed and displayed additional sound recordings without the Record Company Plaintiffs' authorization and the Record Company Plaintiffs reserve the right to amend the Complaint to add additional claims.

1 47. Defendants have, without permission, reproduced, adapted, distributed,
 2 and publicly performed and displayed at least 106 separate copyrighted sound
 3 recordings owned or controlled by the Record Company Plaintiffs in connection with
 4 Season 3 of the Show, which originally aired on VH1 between April and June 2013.

5 48. Defendants have infringed on the Record Company Plaintiffs' exclusive
 6 rights to the sound recordings pursuant to 17 U.S.C. § 106.

7 49. Defendants' infringement of the Record Company Plaintiffs' copyrights
 8 was willful. As a direct and proximate result of the infringements by Defendants, the
 9 Record Company Plaintiffs are entitled to the maximum statutory damages of
 10 \$150,000 for each copyright infringed, or in such other amount as may be proper
 11 under 17 U.S.C. § 504. Alternatively, the Record Company Plaintiffs are entitled to
 12 compensatory damages, including but not limited to Defendants' profits attributable to
 13 the infringement.

14 50. The Record Company Plaintiffs are entitled to their attorneys' fees and
 15 full costs pursuant to 17 U.S.C. § 505.

16 51. Defendants' conduct is causing, and unless enjoined, will continue to
 17 cause, the Record Company Plaintiffs irreparable injury that cannot be fully
 18 compensated or measured through money damages. The Record Company Plaintiffs
 19 have no adequate remedy at law. The Record Company Plaintiffs are entitled to a
 20 temporary and final injunction to prevent further infringements of the Record
 21 Company Plaintiffs' copyrights and exclusive rights.

22 **SECOND CAUSE OF ACTION**

23 (Copyright Infringement – Musical Compositions)

24 (By the Music Publisher Plaintiffs Against All Defendants)

25 52. The Music Publisher Plaintiffs incorporate by this reference each and
 26 every averment contained in paragraphs 1 through 42 inclusive.

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53. The Music Publisher Plaintiffs own or control the exclusive rights to the copyrights in the musical compositions identified in the list attached hereto as **Exhibit C.**

54. In accordance with the Copyright Act, the Music Publisher Plaintiffs, their predecessors in interest, or their licensors have registered the copyrights to the sound recordings listed in **Exhibit C** with the Copyright Office of the United States.

55. Defendants have infringed the Music Publisher Plaintiffs' copyrights in the musical compositions reflected in **Exhibit C** by reproducing, adapting, distributing, and publicly performing and displaying the Copyrighted Recordings without authorization in violation of Music Publisher Plaintiffs' exclusive rights pursuant to the Copyright Act, 17 U.S.C. §§ 106 and 501.

56. Defendants have, without permission, reproduced, distributed and publicly performed at least 93 separate copyrighted musical compositions owned or controlled by the Music Publisher Plaintiffs in connection with Season 3 of the Show.

57. Defendants have infringed on the Music Publisher Plaintiffs' exclusive rights to the musical compositions pursuant to 17 U.S.C. §§ 106.

58. Defendants' infringement of the Music Publisher Plaintiffs' copyrights was willful. As a direct and proximate result of the infringements by Defendants, the Music Publisher Plaintiffs are entitled to the maximum statutory damages of \$150,000 for each copyright infringed, or in such other amount as may be proper under 17 U.S.C. § 504. Alternatively, the Music Company Plaintiffs are entitled to compensatory damages, including but not limited to Defendants' profits attributable to the infringement.

59. The Music Publisher Plaintiffs are also entitled to their attorneys' fees and full costs pursuant to 17 U.S.C. § 505.

60. Defendants' conduct is causing, and unless enjoined, will continue to cause, the Music Publisher Plaintiffs irreparable injury that cannot be fully compensated or measured through money damages. The Music Publisher Plaintiffs

1 have no adequate remedy at law. The Music Publisher Plaintiffs are entitled to a
 2 temporary and final injunction to prevent further infringements of the Music Company
 3 Plaintiffs' copyrights and exclusive rights.

4 **THIRD CAUSE OF ACTION**

5 (Violation of California Civil Code Section 980(a)(2))

6 (Against all Defendants)

7 61. Plaintiffs incorporate by this reference each and every averment
 8 contained in paragraphs 1 through 60 inclusive.

9 62. Plaintiffs possess exclusive ownership interests in and to the Pre-1972
 10 Recordings, including pursuant to California Civil Code § 980(a)(2), which provides:
 11 "The author of an original work of authorship consisting of a sound recording initially
 12 fixed prior to February 15, 1972, has an exclusive ownership therein until February
 13 15, 2047 . . ." Therefore, as owners of the Pre-1972 Recordings, Plaintiffs have all of
 14 the exclusive rights to exploit those recordings, including but not limited to the rights
 15 to manufacture, copy, sell, distribute, broadcast, and publicly perform the Pre-1972
 16 Recordings.

17 63. Plaintiffs have not authorized Defendants to publicly perform, reproduce,
 18 broadcast, or otherwise exploit the Pre-1972 Recordings in connection with Season 3
 19 of the Show. Defendants did not have the right to exploit the Pre-1972 Recordings
 20 and did not compensate Plaintiffs for Defendants' exploitation of the Pre-1972
 21 Recordings.

22 64. Through their conduct, Defendants have violated Plaintiffs' exclusive
 23 ownership interests in and to the Pre-1972 Recordings, including but not limited to
 24 those identified in **Exhibit B**.

25 65. As a direct and proximate result of Defendants' conduct in violation of
 26 Plaintiffs' exclusive ownership interests in the Pre-1972 Recordings, Defendants have
 27 received proceeds and Plaintiffs have been damaged in an amount to be proven at
 28 trial.

66. Defendants' conduct is causing, and unless enjoined, will continue to cause, Plaintiffs great and irreparable injury that cannot fully be compensated or measured in money damages. Plaintiffs have no adequate remedy at law. Plaintiffs are entitled to preliminary and permanent injunctions prohibiting further violation of Plaintiffs' exclusive ownership rights in their Pre-1972 Recordings pursuant to Section 980(a)(2).

FOURTH CAUSE OF ACTION

(Statutory and Common Law Unfair Competition)

(Against all Defendants)

67. Plaintiffs incorporate by this reference each and every averment contained in paragraphs 1 through 66 inclusive.

68. The acts and conduct of Defendants constitute an appropriation and invasion of the property rights of Plaintiffs in the Pre-1972 Recordings, and constitute unfair competition under California Business & Professions Code § 17200 and under the common law.

69. As a direct and proximate result of Defendants' conduct, Plaintiffs are entitled to recover all proceeds and other compensation received, or to be received, by Defendants arising from the infringements of the Pre-1972 Recordings.

70. As a direct and proximate result of Defendants' unfair competition, Plaintiffs have been damaged, and Defendants have been unjustly enriched, in an amount to be proven at trial, for which damages and/or restitution and disgorgement is appropriate. Such damages should include a declaration by this Court that Defendants are constructive trustees for the benefit of Plaintiffs, and an order that Defendants convey to Plaintiffs the gross receipts received, or to be received, that are attributable to infringement of the Pre-1972 Recordings.

71. Defendants' conduct is causing, and unless enjoined, will continue to cause, Plaintiffs great and irreparable injury that cannot fully be compensated or measured in money damages. Plaintiffs have no adequate remedy at law. Pursuant to

1 California Business & Professions Code § 17203, Plaintiffs are entitled to preliminary
2 and permanent injunctions prohibiting further acts and unfair competition.

3 **FIFTH CAUSE OF ACTION**

4 (Common Law Misappropriation)

5 (Against all Defendants)

6 72. Plaintiffs incorporate by this reference each and every averment
7 contained in paragraphs 1 through 71 inclusive.

8 73. Through their conduct alleged herein, Defendants have misappropriated
9 Plaintiffs' intangible rights, property, skill, and labor in the Pre-1972 Recordings, in
10 violation of Plaintiffs' rights in such recordings, including those identified in
11 **Exhibit B**, to Plaintiffs' harm and detriment.

12 74. As a direct and proximate result of Defendants' conduct in violation of
13 Plaintiffs' exclusive rights in and to the Pre-1972 Recordings, Defendants have
14 received proceeds and Plaintiffs have been damaged in an amount to be proven at
15 trial.

16 75. Defendants' conduct is causing, and unless enjoined, will continue to
17 cause, Plaintiffs great and irreparable injury that cannot fully be compensated or
18 measured in money damages. Plaintiffs have no adequate remedy at law. Plaintiffs
19 are entitled to preliminary and permanent injunctions prohibiting further violation of
20 Plaintiffs' exclusive common law rights in the Pre-1972 Recordings.

21 **SIXTH CAUSE OF ACTION**

22 (Conversion)

23 (Against all Defendants)

24 76. Plaintiffs incorporate by this reference each and every averment
25 contained in paragraphs 1 through 75 inclusive.

26 77. Plaintiffs are, and at all relevant times were, the exclusive owners of all
27 right, title, and interest in and to the Pre-1972 Recordings. Plaintiffs' rights in the
28 Pre-1972 Recordings constitute intangible property.

1 78. By the acts and conduct alleged herein, Defendants have exercised
 2 dominion or control over the Pre-1972 Recordings and have applied Plaintiffs'
 3 property to their own use and benefit, without license or consent, and converted
 4 Plaintiffs' property rights in the Pre-1972 Recordings, including but not limited to
 5 those identified in **Exhibit B**.

6 79. As a direct and proximate result of Defendants' acts of conversion,
 7 Plaintiffs have been damaged, and Defendants have been unjustly enriched, in an
 8 amount to be proven at trial, for which damages and/or restitution and disgorgement
 9 of Defendants' gross receipts is appropriate.

10 80. Defendants' conduct is causing, and unless enjoined, will continue to
 11 cause, Plaintiffs great and irreparable injury that cannot fully be compensated or
 12 measured in money damages. Plaintiffs have no adequate remedy at law. Plaintiffs
 13 are entitled to preliminary and permanent injunctions prohibiting further acts of
 14 conversion.

15 WHEREFORE, Plaintiffs pray for judgment against Defendants, and each of
 16 them, jointly and severally as follows.

17 On the First and Second Causes of Action for:

18 (a) The maximum statutory damages in the amount of \$150,000 with
 19 respect to each copyrighted work infringed, or for such other amount
 20 as may be proper pursuant to 17 U.S.C. § 504(c), or, in the alternative,
 21 for an award of Defendants' profits and for compensatory damages
 22 according for proof; and

23 (b) Plaintiffs' attorneys' fees and full costs.

24 On the Third, Fourth, Fifth and Sixth Causes of Action for:

25 (a) Imposition of a constructive trust;

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- 1 (b) Restitution of Defendants' unlawful proceeds, including gross profits
2 attributable to the unauthorized use of Plaintiffs' Pre-1972
3 Recordings;
4 (c) Punitive damages in such amount as may be awarded at trial;
5 (d) An Accounting; and
6 (e) Damages according to proof.

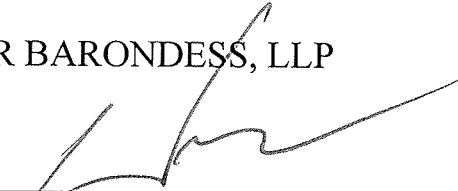
7 On all Causes of Action:

- 8 (a) Prejudgment interest according to law;
9 (b) A temporary and final injunction to prevent further infringements of
10 Plaintiffs' copyrights and exclusive ownership interests; and
11 (c) Such other and further relief as this Court may deem just and proper.
12

13 DATED: August 22, 2014

Respectfully submitted,

14 MILLER BARONDESS, LLP

15 By: 

16 A. SASHA FRID
17 BENJAMIN A. GOLD
18 Attorneys for Plaintiffs UMG
19 Recordings, Inc.; Capitol Records, LLC;
20 Universal Music Corp.; Universal –
21 Polygram International Publishing, Inc.;
22 Universal – Songs Of Polygram
23 International, Inc.; Songs Of Universal,
24 Inc.; Universal Music – Z Tunes LLC;
25 Rondor Music International, Inc.;
26 Universal Music – MGB NA LLC;
27 Universal Musica, Inc.
28

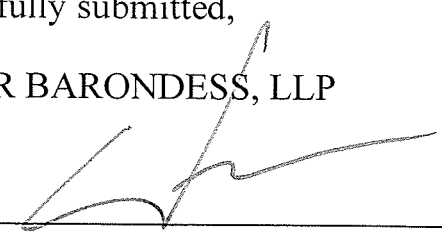
JURY DEMAND

Plaintiffs hereby demand trial by jury on all issues triable to a jury.

DATED: August 22, 2014

Respectfully submitted,

MILLER BARONDESS, LLP

By: 

A. SASHA FRID

BENJAMIN A. GOLD

Attorneys for Plaintiffs UMG

Recordings, Inc.; Capitol Records, LLC;

Universal Music Corp.; Universal –

Polygram International Publishing, Inc.;

Universal – Songs Of Polygram

International, Inc.; Songs Of Universal,

Inc.; Universal Music – Z Tunes LLC;

Rondor Music International, Inc.;

Universal Music – MGB NA LLC;

Universal Musica, Inc.

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EXHIBIT “A”

Exhibit A
Sound Recordings

No.	Artist	Song and/or Album	Copyright Reg. No.	Plaintiff
1.	2 Chainz	I'm Different	SR 706-415	UMG Recordings, Inc.
2.	2 Chainz (featuring Kanye West)	Birthday Song	SR 706-416	UMG Recordings, Inc.
3.	Ace Hood	Hustle Hard	SR 674-482	UMG Recordings, Inc.
4.	Arrested Development	People Everyday	SR 143-502	UMG Recordings, Inc.
5.	Avicii	Levels	SR 698-482	UMG Recordings, Inc.
6.	Azealia Banks (featuring Lazy Jay)	212 (Radio Version)	SR 732-922	UMG Recordings, Inc.
7.	Beastie Boys	Sabotage	SR 213-461	Capitol Records, LLC.
8.	Big Boi (featuring Cutty)	Shutterbug	SR 664-928	UMG Recordings, Inc.
9.	Big Boi (featuring Yelawolf)	You Ain't No DJ	SR 663-150	UMG Recordings, Inc.
10.	Big Sean (featuring Kanye West & Roscoe Dash)	Marvin & Chardonnay	SR 678-630	UMG Recordings, Inc.
11.	Black Eyed Peas	Rock That Body	SR 633-584 / SR 412-278 (correction)	UMG Recordings, Inc.
12.	Black Eyed Peas	The Time (Dirty Bit)	SR 717-504	UMG Recordings, Inc.
13.	Black Eyed Peas	Boom Boom Pow	SR 625-827 / SR 412-277 (correction)	UMG Recordings, Inc.
14.	Black Eyed Peas	I Gotta Feeling	SR 633-584 / SR 412-278 (correction)	UMG Recordings, Inc.
15.	Black Eyed Peas	Imma Be	SR 635-585 / SR 412-274 (correction)	UMG Recordings, Inc.
16.	Black Sheep	The Choice is Yours	SR 307-061	UMG Recordings, Inc.
17.	Bob Marley	Could You Be Loved	SR 19-502 / SR 20-594	UMG Recordings, Inc.
18.	Capleton	Tour	SR 169-329	UMG Recordings, Inc.
19.	Carly Rae Jepsen	Call Me Maybe	SR 693-123	UMG Recordings, Inc.
20.	Chief Keef featuring Lil Reese	I Don't Like	SR 705-068	UMG Recordings, Inc.

Exhibit A
Sound Recordings

No.	Artist	Song and/or Album	Copyright Reg. No.	Plaintiff
21.	Crazy Frog	Popcorn	SR 380-732	UMG Recordings, Inc.
22.	Diamond & the Psychotic Neurotics	Sally Got a One Track Mind	Pending	UMG Recordings, Inc.
23.	DJ Kool	Let Me Clear My Throat	SR 231-195	UMG Recordings, Inc.
24.	DJ Shadow	Organ Donor	Pending	UMG Recordings, Inc.
25.	Drake	Over	SR 647-953	UMG Recordings, Inc.
26.	Drake featuring Lil Wayne	HYFR (Hell Ya F**ing Right)	SR 689-350	UMG Recordings, Inc.
27.	EPMD	So Whatcha Sayin	SR 110-689	UMG Recordings, Inc.
28.	Eric B & Rakim	Microphone Fiend	SR 93-361	UMG Recordings, Inc.
29.	Eric B & Rakim	Don't Sweat the Technique	SR 143-405	UMG Recordings, Inc..
30.	Eric Prydz	Call on Me	SR 700-788	UMG Recordings, Inc.
31.	Erykah Badu	Bag Lady	SR 269-910	UMG Recordings, Inc.
32.	Florence & The Machine	Spectrum	SR 687-601	UMG Recordings, Inc.
33.	Florence & The Machine	Drumming Song	SR 645-045	UMG Recordings, Inc.
34.	Gloria Gaynor	I Will Survive	SR 4-043	UMG Recordings, Inc.
35.	Grover Washington Jr.	Mister Magic	N 24249	UMG Recordings, Inc.
36.	Gwen Stefani	Crash	SR 364-759	UMG Recordings, Inc.
37.	Gwen Stefani	Hollaback Girl	SR 364-759	UMG Recordings, Inc.
38.	Havana Brown	We Run The Night	SR 695-704	UMG Recordings, Inc.
39.	Heavy D & the Boyz	Now That We Found Love	SR 412-269	UMG Recordings, Inc.
40.	Ice Cube	Check Yo Self	SR 169-617	UMG Recordings, Inc.
41.	Ja Rule	Between Me and You	SR 293-536	UMG Recordings, Inc.
42.	Jadakiss	The Champ is Here	Pending	UMG Recordings, Inc.

Exhibit A
Sound Recordings

No.	Artist	Song and/or Album	Copyright Reg. No.	Plaintiff
43.	James Brown	The Payback	N 11869 – RE 860069	UMG Recordings, Inc.
44.	James Brown	Get Up Offa That Thing	N 32495 / RE 908489	UMG Recordings, Inc.
45.	Jessie J	Domino	SR 684-339	UMG Recordings, Inc.
46.	Joe Budden	Pump it Up	SR 332-596	UMG Recordings, Inc.
47.	Jurassic 5	Break	SR 314-615	UMG Recordings, Inc.
48.	Kanye West (featuring Big Sean, Pusha T, 2 Chainz)	Mercy	SR 699-408	UMG Recordings, Inc.
49.	Kanye West (featuring Nicki Minaj)	Dark Fantasy	SR 683-430	UMG Recordings, Inc.
50.	Keri Hilson	Pretty Girl Rock	SR 668-316	UMG Recordings, Inc.
51.	Keyshia Cole (featuring Missy Elliott & Lil Kim)	Let it Go	SR 408-737	UMG Recordings, Inc.
52.	Kid Cudi (featuring MGMT & Ratatat)	Pursuit of Happiness (Nightmare)	SR 637-685	UMG Recordings, Inc.
53.	Kurtis Blow	The Breaks	SR 56-030	UMG Recordings, Inc.
54.	La Roux	Bulletproof	SR 628-226	UMG Recordings, Inc.
55.	Lil Wayne	No Worries	SR 708-071	UMG Recordings, Inc.
56.	LL Cool J	Rock the Bells	SR 70-045	UMG Recordings, Inc.
57.	LL Cool J	The Boomin' System	Pending	UMG Recordings, Inc.
58.	Lloyd Banks	Hands Up	SR 412-370	UMG Recordings, Inc.
59.	LMFAO	I'm in Miami Trick	SR 621-810	UMG Recordings, Inc.
60.	LMFAO (featuring Lauren Bennett and Goo Goo Dolls)	Party Rock Anthem	SR 680-872	UMG Recordings, Inc.
61.	LMFAO	Shots	SR 641-967	UMG Recordings, Inc.
62.	Lyn Collins	Think About It (as sampled in "It Takes Two" by Rob	N 942 / RE 852198	UMG Recordings, Inc.

Exhibit A
Sound Recordings

No.	Artist	Song and/or Album	Copyright Reg. No.	Plaintiff
		Base as sampled in "Rock That Body" by Black Eyed Peas)		
63.	Marvin Gaye	I Want You	N 30657 / RE 908401	UMG Recordings, Inc.
64.	Mary J. Blige	Real Love	SR 149-212	UMG Recordings, Inc.
65.	Mary J. Blige	The One	SR 636-307	UMG Recordings, Inc.
66.	Melanie Fiona	4AM	SR 687-112	UMG Recordings, Inc.
67.	Memphis Bleek (featuring Jay-Z)	Do My...	SR 267-365	UMG Recordings, Inc.
68.	Method Man	Bring the Pain	Pending	UMG Recordings, Inc.
69.	Mims	This is Why I'm Hot	SR 401-208	Capitol Records, LLC
70.	Montell Jordan	This is How We Do It	SR 710-477	UMG Recordings, Inc.
71.	N.E.R.D.	Everyone Nose (All the Girls Standing in the Line for the Bathroom)	SR 613-607	UMG Recordings, Inc.
72.	Nas (featuring Will.I.Am.)	Hip Hop is Dead	SR 401-244	UMG Recordings, Inc.
73.	Nicki Minaj	Pound the Alarm	SR 698-591	UMG Recordings, Inc.
74.	Nightcrawlers	Push the Feeling On	SR 183-309	UMG Recordings, Inc.
75.	Nirvana	In Bloom	SR 135-335	UMG Recordings, Inc.
76.	Nirvana	Smells Like Teen Spirit	SR 134-601	UMG Recordings, Inc.
77.	Nirvana	Lithium	SR 135-335	UMG Recordings, Inc.
78.	OneRepublic	Good Life	SR 643-258	UMG Recordings, Inc.
79.	Onyx	Slam	SR 739-262	UMG Recordings, Inc.
80.	Public Enemy	Show 'Em Whatcha got	SR 99-400	UMG Recordings, Inc.
81.	Rick Ross	Hustlin	SR 394-155	UMG Recordings, Inc.

Exhibit A
Sound Recordings

No.	Artist	Song and/or Album	Copyright Reg. No.	Plaintiff
82.	Rick Ross (featuring Styles P)	B.M.F. (Blowin' Money Fast)	SR 656-701	UMG Recordings, Inc.
83.	Salt-N-Pepa	Push It	SR 94-339	UMG Recordings, Inc.
84.	Showbiz & A.G.	Party Groove	SR 145-806	UMG Recordings, Inc.
85.	Showbiz & A.G.	Soul Clap	SR 145-806	UMG Recordings, Inc.
86.	Sir-Mix-A-Lot	Possee on Broadway	SR 130-138	UMG Recordings, Inc.
87.	Sir-Mix-A-Lot	Buttermilk Biscuits (Keep on Square Dancin')	SR 130-138	UMG Recordings, Inc.
88.	Sir-Mix-A-Lot	Baby Got Back	SR 139-011	UMG Recordings, Inc.
89.	Slick Rick	Children's Story	SR 99-931	UMG Recordings, Inc.
90.	Swedish House Mafia	Miami 2 Ibiza	SR 680-994	UMG Recordings, Inc.
91.	Taio Cruz	Dynamite	SR 656-945	UMG Recordings, Inc.
92.	Technotronic	Pump Up The Jam	SR 111-258	UMG Recordings, Inc.
93.	Technotronic	Get Up (Before the Night is Over)	SR 124-545	UMG Recordings, Inc.
94.	The Game	California Vacation	SR 395-249	UMG Recordings, Inc.
95.	The JB's	Pass the Peas	N 1384 / RE 852-227 SR 284-422	UMG Recordings, Inc.
96.	The Pliers	Bam Bam	SR 190-607	UMG Recordings, Inc.
97.	The Roots (featuring Nelly Furtado)	Sacrifice	SR 314-538	UMG Recordings, Inc.
98.	Trinidad James	All Gold Everything	SR 717-804	UMG Recordings, Inc.
99.	Tyga	Make It Nasty	SR 694-847	UMG Recordings, Inc.
100.	Tyga	Rack City	SR 690-018	UMG Recordings, Inc.
101.	Vanilla Ice	Ice Ice Baby	SR 125-259	UMG Recordings, Inc.
102.	Wale	Pretty Girls	SR 642-016	UMG Recordings, Inc.

Exhibit A
Sound Recordings

No.	Artist	Song and/or Album	Copyright Reg. No.	Plaintiff
103.	Warren G	Regulate	SR 629-800	UMG Recordings, Inc.
104.	Wreckx-N-Effect	Rump Shaker	SR 144-921	UMG Recordings, Inc.
105.	Yeah Yeah Yeahs	Heads Will Roll	SR 629-251	UMG Recordings, Inc.
106.	Yelawolf (featuring Kid Rock)	Let's Roll	SR 689-611	UMG Recordings, Inc.

EXHIBIT “B”

Exhibit B
Pre-1972 Sound Recordings

No.	Artist	Song and/or Album
1.	Etta James (sampled in Levels by Avicii)	Something's Got a Hold on Me
2.	Jackson 5	ABC
3.	Jackson 5	I Want You Back
4.	James Brown	Soul Power (Part 1)
5.	James Brown	Funky Drummer
6.	James Brown	I Got You (I Feel Good)
7.	Kool & the Gang	Soul Vibrations
8.	Marvin Gaye & Tammi Terrell	Ain't No Mountain High Enough
9.	The Temptations	My Girl

EXHIBIT “C”

Exhibit C
Musical Compositions

No.	Artist	Song	Copyright Reg. No.
1.	2 Chainz	Birthday Song	PA0001833562
2.	A Tribe Called Quest	Scenario	PA0000900344
3.	A Tribe Called Quest	Bonita Applebum	PA0001099837
4.	Beastie Boys	Sabotage	PA0000721110
5.	Big Daddy Kane	Ain't No Half Steppin'	PA0000394387
6.	Big Sean	Marvin & Chardonnay	PA0001780731
7.	Bingo Players (featuring Far East Movement)	Get Up (Rattle)	PA0001838841
8.	Black Eyed Peas	Rock That Body	PA0001677813
9.	Black Eyed Peas	Imma Be	PA0001682852
10.	Black Sheep	The Choice is Yours	PA0000640292
11.	Buju Banton	Champion	PA0000782611
12.	Camp Lo	Luchini (aka This Is It)	PA0000867827
13.	Capleton	Tour	PA0000839723
14.	Chief Keef	I Don't Like	Pending
15.	Chris Brown	Look At Me Now	PA0001750519
16.	Cypress Hill	Insane In The Brain	PA0000664235
17.	Daft Punk	Harder, Better, Stronger, Faster	PA0001045177
18.	Daft Punk	One More Time	PA0001041765
19.	D'Angelo	Lady	PA0000819024
20.	DJ Khaled	All I Do Is Win	PA0001699760
21.	DJ Shadow	Organ Donor	PA0001004174
22.	DMX	Ruff Ryder's Anthem	PA0000707220
23.	Enrique Iglesias	Tonight (I'm Lovin' You)	PA0001741337
24.	Eric Prydz	Call on Me	PA0001164974
25.	Erykah Badu	Bag Lady	PA0001015834
26.	Estelle	Do My Thing	PA0001808465
27.	Florence & The Machine	Spectrum	PA0001777619
28.	Florence & The Machine	Drumming	PA0001892793
29.	Flo-Rida	Get Low	PA0001825922
30.	Funky Four Plus One	That's the Joint	PA0000144091
31.	The Game	California Vacation	PA0001367048
32.	Gloria Estefan	123	PA0000326114
33.	Gloria Gaynor	I Will Survive	PA000047934
34.	Havana Brown	We Run The Night	Pending
35.	Ice Cube	Check Yo Self	PA0000751852
36.	Ice Cube	This Is Los Angeles	PA1395900
37.	Joe Budden	Pump it Up	PA0001215976
38.	Jurassic 5	What's Golden	PA0001845790

Exhibit C
Musical Compositions

No.	Artist	Song	Copyright Reg. No.
39.	Kanye West	Mercy	Pending
40.	Kanye West	Dark Fantasy	PA0001754241
41.	Keri Hilson	Pretty Girl Rock	PA0001784138
42.	Keyshia Cole	Let it Go	PA1395961
43.	Lil Wayne	No Worries	PA0001885790
44.	LL Cool J	Rock the Bells	PA0000344662
45.	LL Cool J	The Boomin' System	PA0000499307
46.	Lloyd Banks	Hands Up	PA0001368780
47.	LMFAO	Shots	PA0001691942
48.	M/A/R/R/S	Pump Up the Volume	PA0000343520
49.	Major Lazer	Watch Out For This (Bumaye)	PA0001855855
50.	Marvin Gaye	I Want You	EU0000488082
51.	Mary J. Blige	Real Love	Pending
52.	Mary J. Blige	The One	PA0001728905
53.	Mase	Feel So Good	PA0000909077
54.	Meek Mill	Dreams and Nightmares	PA0001842300
55.	Method Man	Bring the Pain	PA0001241258
56.	Mims	This is Why I'm Hot	PA0001597373
57.	Mobb Deep	Shook Ones Pt. 1	PA0000845849
58.	Modjo	Lady (Hear Me Tonight)	PA0001117474
59.	Montell Jordan	This is How We Do It	PA0000785625
60.	Nas	Hip Hop is Dead	PA1396143
61.	Nas	Dance	PA0001262447
62.	N.E.R.D.	Everyone Nose (All the Girls Standing in the Line for the Bathroom)	PA 0001600466
63.	Ol' Dirty Bastard	Shimmy Shimmy Ya	PA0000831894
64.	Onyx	Slam	PA0000693376
65.	Pliers	Bam, Bam	PA0000282547
66.	Public Enemy	Rebel Without A Pause	PA0000358093
67.	Rick Ross	Hustlin	PA0001334589
68.	Rob Base N Easy Rock	It Takes Two	PA0001146315
69.	Roscoe Dash	All the Way Turnt Up	PA0001831869
70.	Run DMC	It's Tricky	Pending
71.	Run DMC	Jam-Master Jay	Pending
72.	Showbiz & A.G.	Party Groove	PA0000554066
73.	Showbiz & A.G.	Soul Clap	PA0000961204
74.	Sidney Samson & Lil Jon	Mutate	Pending
75.	Sir-Mix-A-Lot	Baby Got Back	PA0000594005

Exhibit C
Musical Compositions

No.	Artist	Song	Copyright Reg. No.
76.	Sir-Mix-A-Lot	Buttermilk Biscuits (Keep on Square Dancin')	Pending
77.	Sir-Mix-A-Lot	Possee on Broadway	Pending
78.	Slick Rick	Children's Story	PA0000449656
79.	Swedish House Mafia	Antidote	PA0001832166
80.	Swedish House Mafia	Don't You Worry Child	PA0001832169
81.	Swedish House Mafia	Miami 2 Ibiza	Pending
82.	Swizz Beatz	Everyday (Coolin')	Pending
83.	Technotronic	Get Up (Before the Night is Over)	PA0001020356
84.	The Chemical Brothers	Block Rockin' Beats	PA0001284849
85.	The Roots	Sacrifice	PA0001163825
86.	Trick Daddy	Bet That	PA0001630667
87.	Wale	Pretty Girls	PA0001868370
88.	Whodini	Five Minutes of Funk	PA0000239440
89.	Wreckx-N-Effect	Rump Shaker	PA0000708852
90.	Wu Tang Clan	Gravel Pit	PA0001154953
91.	Wu Tang Clan	Protect Ya Neck	PA0000981217
92.	Wu Tang Clan	Triumph	PA0000860208
93.	Yelawolf (featuring Kid Rock)	Let's Roll	PA0001855574

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Central District of California

UMG RECORDINGS, INC., a Delaware corporation; CAPITOL RECORDS, LLC, a Delaware limited liability company; UNIVERSAL MUSIC CORP., a Delaware corporation; UNIVERSAL-POLYGRAM INTERNATIONAL PUBLISHING, INC., a Delaware corporation; UNIVERSAL - SONGS OF POLYGRAM INTERNATIONAL, INC., a Delaware corporation; SONGS OF UNIVERSAL, INC., a California corporation; UNIVERSAL MUSIC - Z TUNES LLC, a New York limited liability company; RONDOR MUSIC INTERNATIONAL, INC., a California corporation; UNIVERSAL MUSIC - MGB NA LLC, a California limited liability company; UNIVERSAL MUSICA, INC., a Florida corporation.

Plaintiff(s)

v.

JE T'AIME LLC, a Georgia limited liability company;
JE T'AIME MEDIA GROUP INC, a Georgia corporation; GTM, Inc., a Georgia corporation; and
DOES 1 through 10.

Defendant(s)

LA

CV 14 06613-AB (CWlx)
Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

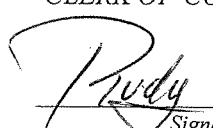
A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

A. Sasha Frid
Miller Barondess, LLP
1999 Avenue of the Stars, Suite 1000
Los Angeles, CA 90067

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 08/22/2014

CLERK OF COURT

Signature of Clerk or Deputy Clerk


1164

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Central District of California

UMG RECORDINGS, INC., a Delaware corporation; CAPITOL RECORDS, LLC, a Delaware limited liability company; UNIVERSAL MUSIC CORP., a Delaware corporation; UNIVERSAL - POLYGRAM INTERNATIONAL PUBLISHING, INC., a Delaware corporation; UNIVERSAL - SONGS OF POLYGRAM INTERNATIONAL, INC., a Delaware corporation; SONGS OF UNIVERSAL, INC., a California corporation; UNIVERSAL MUSIC - Z TUNES LLC, a New York limited liability company; RONDOR MUSIC INTERNATIONAL, INC., a California corporation; UNIVERSAL MUSIC - MGB NA LLC, a California limited liability company; UNIVERSAL MUSICA, INC., a Florida corporation

Plaintiff(s)

v.

JE T'AIME LLC, a Georgia limited liability company;
JE T'AIME MEDIA GROUP INC, a Georgia
corporation; GTM, Inc., a Georgia corporation; and
DOES 1 through 10.

Defendant(s)

LA CV 14 06613-AB (CW/a)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

A. Sasha Frid
Miller Barondess, LLP
1999 Avenue of the Stars, Suite 1000
Los Angeles, CA 90067

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 08/22/2014

CLERK OF COURT

Rudy
Signature of Clerk or Deputy Clerk
1164

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I. (a) PLAINTIFFS (Check box if you are representing yourself ☐) Please See Attachment A	DEFENDANTS (Check box if you are representing yourself ☐) JE T'AIME LLC, a Georgia limited liability company; JE T'AIME MEDIA GROUP INC, a Georgia corporation; GTM, Inc., a Georgia corporation; and DOES 1 through 10.
(b) County of Residence of First Listed Plaintiff <u>Los Angeles</u> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i>	County of Residence of First Listed Defendant _____ <i>(IN U.S. PLAINTIFF CASES ONLY)</i>
(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information. Miller Barondess, LLP 1999 Avenue of the Stars, Suite 1000 Los Angeles, CA 90067 T (310) 552-4400; F (310) 552-8400	Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

II. BASIS OF JURISDICTION (Place an X in one box only.) ☐ 1. U.S. Government Plaintiff ☒ 3. Federal Question (U.S. Government Not a Party) ☐ 2. U.S. Government Defendant ☐ 4. Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES -For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant) <table style="width:100%; border: none;"> <tr> <td style="width:35%;">Citizen of This State</td> <td style="width:10%;">PTF ☐ 1</td> <td style="width:10%;">DEF ☐ 1</td> <td style="width:35%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%;">PTF ☐ 4</td> <td style="width:10%;">DEF ☐ 4</td> </tr> <tr> <td>Citizen of Another State</td> <td>PTF ☐ 2</td> <td>DEF ☐ 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td>PTF ☐ 5</td> <td>DEF ☐ 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td>PTF ☐ 3</td> <td>DEF ☐ 3</td> <td>Foreign Nation</td> <td>PTF ☐ 6</td> <td>DEF ☐ 6</td> </tr> </table>	Citizen of This State	PTF ☐ 1	DEF ☐ 1	Incorporated or Principal Place of Business in this State	PTF ☐ 4	DEF ☐ 4	Citizen of Another State	PTF ☐ 2	DEF ☐ 2	Incorporated and Principal Place of Business in Another State	PTF ☐ 5	DEF ☐ 5	Citizen or Subject of a Foreign Country	PTF ☐ 3	DEF ☐ 3	Foreign Nation	PTF ☐ 6	DEF ☐ 6
Citizen of This State	PTF ☐ 1	DEF ☐ 1	Incorporated or Principal Place of Business in this State	PTF ☐ 4	DEF ☐ 4														
Citizen of Another State	PTF ☐ 2	DEF ☐ 2	Incorporated and Principal Place of Business in Another State	PTF ☐ 5	DEF ☐ 5														
Citizen or Subject of a Foreign Country	PTF ☐ 3	DEF ☐ 3	Foreign Nation	PTF ☐ 6	DEF ☐ 6														

IV. ORIGIN (Place an X in one box only.)

☒ 1. Original Proceeding	☐ 2. Removed from State Court	☐ 3. Remanded from Appellate Court	☐ 4. Reinstated or Reopened	☐ 5. Transferred from Another District (Specify) _____	☐ 6. Multi-District Litigation
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V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)

CLASS ACTION under F.R.Cv.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ According to Proof

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
☐ 375 False Claims Act	☐ 110 Insurance	☐ 240 Torts to Land	☐ 462 Naturalization Application	Habeas Corpus:	☒ 820 Copyrights
☐ 400 State Reapportionment	☐ 120 Marine	☐ 245 Tort Product Liability	☐ 465 Other Immigration Actions	☐ 463 Alien Detainee	☐ 830 Patent
☐ 410 Antitrust	☐ 130 Miller Act	☐ 290 All Other Real Property	TORTS	☐ 510 Motions to Vacate Sentence	☐ 840 Trademark
☐ 430 Banks and Banking	☐ 140 Negotiable Instrument	TORTS PERSONAL INJURY	PERSONAL PROPERTY	☐ 530 General	SOCIAL SECURITY
☐ 450 Commerce/ICC Rates/Etc.	☐ 150 Recovery of Overpayment & Enforcement of Judgment	☐ 310 Airplane	☐ 370 Other Fraud	☐ 535 Death Penalty	☐ 861 HIA (1395ff)
☐ 460 Deportation	☐ 151 Medicare Act	☐ 315 Airplane Product Liability	☐ 371 Truth in Lending	Other:	☐ 862 Black Lung (923)
☐ 470 Racketeer Influenced & Corrupt Org.	☐ 152 Recovery of Defaulted Student Loan (Excl. Vet.)	☐ 320 Assault, Libel & Slander	☐ 380 Other Personal Property Damage	☐ 540 Mandamus/Other	☐ 863 DIWC/DIWW (405 (g))
☐ 480 Consumer Credit	☐ 160 Stockholders' Suits	☐ 330 Fed. Employers' Liability	☐ 385 Property Damage Product Liability	☐ 550 Civil Rights	☐ 864 SSID Title XVI
☐ 490 Cable/Sat TV	☐ 190 Other Contract	☐ 340 Marine	BANKRUPTCY	☐ 555 Prison Condition	☐ 865 RSI (405 (g))
☐ 850 Securities/Commodities/Exchange	☐ 195 Contract Product Liability	☐ 345 Marine Product Liability	☐ 422 Appeal 28 USC 158	☐ 560 Civil Detainee Conditions of Confinement	FEDERAL TAX SUITS
☐ 890 Other Statutory Actions	☐ 196 Franchise	☐ 350 Motor Vehicle	☐ 423 Withdrawal 28 USC 157	FORFEITURE/PENALTY	☐ 870 Taxes (U.S. Plaintiff or Defendant)
☐ 891 Agricultural Acts	REAL PROPERTY	☐ 355 Motor Vehicle Product Liability	CIVIL RIGHTS	☐ 625 Drug Related Seizure of Property 21 USC 881	☐ 871 IRS-Third Party 26 USC 7609
☐ 893 Environmental Matters	☐ 210 Land Condemnation	☐ 360 Other Personal Injury	☐ 440 Other Civil Rights	☐ 690 Other	
☐ 895 Freedom of Info. Act	☐ 220 Foreclosure	☐ 362 Personal Injury-Med Malpractice	☐ 441 Voting	LABOR	
☐ 896 Arbitration	☐ 230 Rent Lease & Ejectment	☐ 365 Personal Injury-Product Liability	☐ 442 Employment	☐ 710 Fair Labor Standards Act	
☐ 899 Admin. Procedures Act/Review of Appeal of Agency Decision		☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability	☐ 443 Housing/Accommodations	☐ 720 Labor/Mgmt. Relations	
☐ 950 Constitutionality of State Statutes		☐ 368 Asbestos Personal Injury Product Liability	☐ 445 American with Disabilities-Employment	☐ 740 Railway Labor Act	
			☐ 446 American with Disabilities-Other	☐ 751 Family and Medical Leave Act	
			☐ 448 Education	☐ 790 Other Labor Litigation	
				☐ 791 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY:

Case Number:

CV-71 (06/14)

CIVIL COVER SHEET

CONFIRM

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

QUESTION A: Was this case removed from state court? ☐ Yes ☒ No If "no," skip to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question E, below, and continue from there.	STATE CASE WAS PENDING IN THE COUNTY OF: ☐ Los Angeles, Ventura, Santa Barbara, or San Luis Obispo ☐ Orange ☐ Riverside or San Bernardino	INITIAL DIVISION IN CACD IS: Western Southern Eastern
QUESTION B: Is the United States, or one of its agencies or employees, a PLAINTIFF in this action? ☐ Yes ☒ No If "no," skip to Question C. If "yes," answer Question B.1, at right.	B.1. Do 50% or more of the defendants who reside in the district reside in Orange Co? <i>check one of the boxes to the right</i> → B.2. Do 50% or more of the defendants who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.) <i>check one of the boxes to the right</i> →	☐ YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there. ☐ NO. Continue to Question B.2. ☐ YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there. ☐ NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there.
QUESTION C: Is the United States, or one of its agencies or employees, a DEFENDANT in this action? ☐ Yes ☒ No If "no," skip to Question D. If "yes," answer Question C.1, at right.	C.1. Do 50% or more of the plaintiffs who reside in the district reside in Orange Co? <i>check one of the boxes to the right</i> → C.2. Do 50% or more of the plaintiffs who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.) <i>check one of the boxes to the right</i> →	☐ YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there. ☐ NO. Continue to Question C.2. ☐ YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there. ☐ NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there.
QUESTION D: Location of plaintiffs and defendants? Indicate the location(s) in which 50% or more of <i>plaintiffs who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.) Indicate the location(s) in which 50% or more of <i>defendants who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.)	A. Orange County ☐ ☐	B. Riverside or San Bernardino County ☐ ☐
		C. Los Angeles, Ventura, Santa Barbara, or San Luis Obispo County ☒ ☐
D.1. Is there at least one answer in Column A? ☐ Yes ☒ No If "yes," your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question E, below, and continue from there. If "no," go to question D2 to the right. →	D.2. Is there at least one answer in Column B? ☐ Yes ☒ No If "yes," your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question E, below. If "no," your case will be assigned to the WESTERN DIVISION. Enter "Western" in response to Question E, below. ↓	
QUESTION E: Initial Division? Enter the initial division determined by Question A, B, C, or D above: →	INITIAL DIVISION IN CACD Western Division	
QUESTION F: Northern Counties? Do 50% or more of plaintiffs or defendants in this district reside in Ventura, Santa Barbara, or San Luis Obispo counties? ☐ Yes ☒ No		

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

IX(a). IDENTICAL CASES: Has this action been previously filed in this court?

☒ NO

☐ YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Is this case related (as defined below) to any cases previously filed in this court?

☒ NO

☐ YES

If yes, list case number(s): _____

Civil cases are related when they:

- ☐ A. Arise from the same or closely related transactions, happening, or event;
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges.

Check all boxes that apply. That cases may involve the same patent, trademark, or copyright is not, in itself, sufficient to deem cases related.

X. SIGNATURE OF ATTORNEY

(OR SELF-REPRESENTED LITIGANT): _____

DATE: 08/22/2014

Notice to Counsel/Parties: The submission of this Civil Cover Sheet is required by Local Rule 3-1. This Form CV-71 and the information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. For more detailed instructions, see separate instruction sheet (CV-071A).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))

Plaintiffs:

UMG RECORDINGS, INC., a Delaware corporation; CAPITOL RECORDS, LLC, a Delaware limited liability company; UNIVERSAL MUSIC CORP., a Delaware corporation; UNIVERSAL – POLYGRAM INTERNATIONAL PUBLISHING, INC., a Delaware corporation; UNIVERSAL – SONGS OF POLYGRAM INTERNATIONAL, INC., a Delaware corporation; SONGS OF UNIVERSAL, INC., a California corporation; UNIVERSAL MUSIC – Z TUNES LLC, a New York limited liability company; RONDOR MUSIC INTERNATIONAL, INC., a California corporation; UNIVERSAL MUSIC – MGB NA LLC, a California limited liability company; UNIVERSAL MUSICA, INC., a Florida corporation,

ATTACHMENT A